

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

ALEXANDER HATZEY,)
individually and on behalf of all others)
similarly situated,)
)
Plaintiff,)
)
v.) Civil Action No. 2:18cv191
)
DIVURGENT, LLC,)
)
Defendant.)
)

**PLAINTIFF'S MEMORANDUM OF LAW IN SUPPORT OF HIS UNOPPOSED
MOTION FOR SETTLEMENT APPROVAL**

Plaintiff Alexander Hatzey (“Plaintiff” or “Hatzey”) through his undersigned counsel, hereby moves this Court for approval of the Settlement Agreement reached by the Parties in this case alleging claims for unpaid overtime compensation under the Fair Labor Standards Act, 28 U.S.C. § 201, *et al.*, (“FLSA”) for the reasons set forth in Plaintiff’s contemporaneously-filed memorandum of law. As set forth in Plaintiff’s memorandum, the Settlement Agreement is fair and reasonable and should be approved by this Court. Accordingly, Plaintiff respectfully requests that the Court issue an Order: 1) certifying the FLSA Collective defined in the Settlement Agreement; 2) approving attorneys’ fees in the amount of one-third of the Gross Settlement Amount, as outlined in Plaintiff’s memorandum, and reimbursement of Plaintiff’s Counsel’s actual costs, which are currently \$7,231.47; 3) approving the proposed Notice of Fair FLSA Collective Action Settlement (“Notice”) attached as Exhibit A to the Settlement Agreement and authorizing distribution of the Notice and the settlement checks to the FLSA Collective Members; and 4) granting approval of the Settlement Agreement and dismissing this case with prejudice in

accordance with the terms of the Settlement Agreement. Defendant consents to this Motion and all relief requested herein.

Dated: August 10, 2018

Respectfully submitted,
**ALEXANDER HATZEY, individually and
on behalf of others similarly situated**

/s/ Kristi C. Kelly

Kristi C. Kelly, VSB No. 72791
Andrew J. Guzzo, VSB No. 82170
Casey S. Nash, VSB No. 84261
Kelly & Crandall PLC
3925 Chain Bridge Road, Suite 202
Fairfax, VA 22030
703-424-7572
Fax: 703-591-0167
Email: kkelly@kellyandcrandall.com
Email: aguzzo@kellyandcrandall.com
Email: casey@kellyancrandall.com

Harold Lichten (Mass. BBO # 549689)*
Olena Savytska ((Mass. BBO # 693324)*
LICHTERN & LISS-RIORDAN, P.C.
729 Boylston St., Suite 2000
Boston, MA 02116
Telephone: (617) 994-5800
Facsimile: (617) 994-5801
hlichten@llrlaw.com
osavytska@llrlaw.com

Shanon J. Carson (PA 85957)*
Sarah R. Schalman-Bergen (PA 206211)*
Alexandra K. Piazza (PA 315240)*
BERGER & MONTAGUE, P.C.
1622 Locust Street
Philadelphia, PA 19103
Telephone: (215) 875-3000
Facsimile: (215) 875-4604
scarson@bm.net
sschalman-bergen@bm.net
apiazzza@bm.net

David M. Blanchard (MI P67190)*
BLANCHARD & WALKER, PLLC

221 N. Main Street, Suite 300
Ann Arbor, MI 48104
Telephone: 734.929.4313
blanchard@bwlawonline.com

*Attorneys for Plaintiff
and the Proposed Classes*

** Admitted Pro Hac Vice*

CERTIFICATE OF SERVICE

I, Kristi Kelly, hereby certify that on this 10th day of August, 2018, I filed the forgoing document with this Court using the CM/ECF. This system sends notifications of such filing and service to all counsel of record.

/s/ Kristi C. Kelly
Kristi Cahoon Kelly (#72791)
KELLY & CRANDALL, PLC
3925 Chain Bridge, Suite 202
Fairfax, VA 22030
Telephone (703) 424-7572
Facsimile (703) 591-0167
E-mail: kkelly@kellyandcrandall.com
Counsel for Plaintiff